



# Minutes Special Meeting of Electors

Monday 14 March 2022 at 4pm  
Ken Allen Reserve, 26 Jeffrey St  
Beaconsfield



## **1. Official opening, welcome and acknowledgement**

The Mayor, Hannah Fitzhardinge opened the meeting at 4.00pm, with an acknowledgement of country:

We acknowledge the Whadjuk people as the traditional owners of the greater Fremantle/Walyalup area and we recognise that their cultural and heritage beliefs are still important today.

The Mayor then welcomed the electors and explained the format of the meeting.

### **1.1 Attendance**

Ms Hannah Fitzhardinge	Mayor
Cr Frank Mofflin	Deputy Mayor/Hilton Ward
Mr Glen Dougall	A/Chief Executive Officer
Mr Matt Hammond	A/Director City Business
Mr Paul Garbett	Director Strategic Planning and Projects
Mr Graham Tattersall	Director Infrastructure

*There were approximately 83 members of the public and 2 members of the press in attendance.*

## **2. Purpose of meeting**

This Special Electors' Meeting has been called in accordance with the Section 5.28 of the *Local Government Act 1995* and the matters to be discussed are as follows:

1. The effect of mandatory vaccination on electors, ratepayers, residents and business in the district
2. The effect of mandatory vaccination on the local government's affairs and the performance of the local government's functions; and
3. Motions to be voted on for an advocacy position against mandatory vaccination for the Council to consider adopting to provide leadership and guidance to the community in the district.



### **3. Acceptance of Motions**

**The Mayor read out the motion that was provided prior to the meeting and called for a mover and seconder, as follows:**

**MOVED: Dominique Mimmagh    SECONDED: Dr Sally Price**

#### **MOTION 1:**

We request that the City of Fremantle Council adopts an advocacy position statement called the 'COVID-19 Vaccination Pro-Choice Statement' with the content:

- Part 1.      That no person shall or should be:
- a) prevented from performing work or receiving income on the basis of vaccination status
  - b) discriminated against on the basis of vaccination status
  - c) coerced or manipulated into the need for vaccination for any reason
  - d) deprived of any Statutory and Regulatory benefits on the basis of vaccination status
  - e) restricted access to premises on the basis of vaccination status
  - f) restricted in any form of community participation on the basis of vaccination status
  - g) required to provide evidence for any reason of vaccination status; and / or,
  - h) subject to anything under written law that a person who differs in vaccination status is not.
- Part 2.      That the Local Government shall:
- a) not restrict any function, property, or service of the Local Government based on vaccination status; and,
  - b) as far as practicable redeploy or reinstate employees of the Local Government that risk termination or have been terminated on the basis of vaccination status



- c) honour all obligations under contract for all persons adversely impacted as a consequence of inferred mandatory requirement for vaccination; and,
- d) establish means to compensate Local Government employees that have lost income as a consequence of termination on the basis of vaccination status.

Part 3. That the Local Government actively advocate for:

- a) the removal the COVID-19 mandatory vaccination policy and any associated directions made under the Public Health Act 2016 (WA); and
- b) the repeal of any mandate or written law, or anything done under any mandate or written law that conflicts with this position statement.

Part 4. The Local Government in performing an advocacy role will seek the cooperation of:

- a) other Local Governments across the State
- b) western Australian Local Government Association (WALGA)
- c) Local Government Professionals WA; and
- d) other professional bodies, associations, and business entities.

Part 5. That Fremantle Council respectfully requests the Minister for Emergency Services, the Minister for Health, the Minister for the Police, the Police Commissioner, the Chief Health Officer and the Premier to provide the adequate scientific, medical and legal evidence for the justification for our State of Emergency, as this is the legal basis of the mandatory vaccination policy.

Part 6. The Council respectfully requests the Minister for Health to revoke the Public Health State of Emergency Declaration as outlined in the Public Health Act 2016 section 171, the legal basis of the mandatory vaccination policy.



## **Definitions**

The following definitions were provided for the purpose of the motion above and do not form part of the motion:

**Access** means to enter or remain at a premises.

**Approved COVID-19 vaccine** means:

- a. any vaccine that has been approved by the Therapeutic Goods Administration (TGA) for use in Australia for the purpose of vaccinating persons against COVID-19 or any mutations and derivatives thereof; and/or,
- b. any other vaccine specified by the Chief Health Officer, or any other person authorised by the Chief Health Officer for that purpose, as an approved COVID-19 vaccine.

**Premises** has the same meaning that it has in the Public Health Act 2016 (WA).

**Vaccine** does not mean the medical terminology as defined in medical journals but is the generic term in the context of COVID-19 as referred to by the Therapeutic Goods Administration and the Chief Health Officer and Government Officials, and publications and statements made and issued under their auspices.

**Vaccination status** means whether a person is not vaccinated or has been vaccinated.

**Not vaccinated** means that the person has not been administered with any dose of an approved COVID-19 vaccine.

**Vaccinated** means that the person has been administered with any prescribed doses of an approved COVID-19 vaccine

## **Speakers to the motion**

**Of the 83 people in attendance at the meeting, the following 18 electors spoke in favour of the motion presented:**

Dominique Mimmagh  
Dr Sally Price  
Nicola Sapsford  
Stacey Motyer  
May-Ring Chen  
Christine Farrell



Sofia Surace  
Steve Gorman  
Daniel Mimmagh  
Louise Leecy  
Luke Matutinovich  
Marija Vujcic  
Jenny Rossen  
Roslyn Drayton  
Simon Naber  
Cathy Gavranich  
Francesca Posney  
Nicole Peterson

### **Questions raised by electors**

#### **Question from Stacey Motyer:**

Can the City provide the data sheets that prove the safety of vaccinations?

#### **Question from Steve Gorman:**

Why aren't we in the council chamber or in the town hall?

#### **Question from Louise Leecy:**

Why are we continuing with the mandates when 95% of people in WA are double vaccinated and the omicron strain is not proving to be catastrophic to the WA health system, but is proving to be catastrophic to local business?

#### **Questions from Roslyn Drayton:**

1. Are you aware that loyal City of Fremantle employees have been terminated this way?
2. How is making choices about my health be serious misconduct.
3. Why are employers like the City of Fremantle choosing to terminate long serving employees?

#### **Question from Simon Naber:**

Can you provide evidence of why the state of emergency continues?



**The motion was moved by Dominique Mimmagh and seconded by Dr Sally Price at the beginning of the meeting and each part was put to the vote separately as follows:**

**MOTION 1:**

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- g) required to provide evidence for any reason of vaccination status; and / or,**
- h) subject to anything under written law that a person who differs in vaccination status is not.**

**CARRIED: All in favour**

**Part 2. That the Local Government shall:**

- a) not restrict any function, property, or service of the Local Government based on vaccination status; and,**
- b) as far as practicable redeploy or reinstate employees of the Local Government that risk termination or have been terminated on the basis of vaccination status**



- c) honour all obligations under contract for all persons adversely impacted as a consequence of inferred mandatory requirement for vaccination; and,**
- d) establish means to compensate Local Government employees that have lost income as a consequence of termination on the basis of vaccination status.**

**CARRIED: All in favour**

**Part 3. That the Local Government actively advocate for:**

- a) the removal the COVID-19 mandatory vaccination policy and any associated directions made under the Public Health Act 2016 (WA); and**
- b) the repeal of any mandate or written law, or anything done under any mandate or written law that conflicts with this position statement.**

**CARRIED: All in favour**

**Part 4. The Local Government in performing an advocacy role will seek the cooperation of:**

- a) other Local Governments across the State**
- b) western Australian Local Government Association (WALGA)**
- c) Local Government Professionals WA; and**
- d) other professional bodies, associations, and business entities.**

**CARRIED: All in favour**

**Part 5. That Fremantle Council respectfully requests the Minister for Emergency Services, the Minister for Health, the Minister for the Police, the Police Commissioner, the Chief Health Officer and the Premier to provide the adequate scientific, medical and legal evidence for the justification for our State of Emergency, as this is the legal basis of the mandatory vaccination policy.**

**CARRIED: All in favour**



**Part 6. The Council respectfully requests the Minister for Health to revoke the Public Health State of Emergency Declaration as outlined in the Public Health Act 2016 section 171, the legal basis of the mandatory vaccination policy.**

**CARRIED: All in favour**

The Mayor noted that all parts of the motion were carried unanimously.

#### **4. Closure**

The Mayor, Hannah Fitzhardinge closed the meeting at 5.29pm